



## **MEDIA RELEASE – 30 JANUARY 2016**

### **Call for Inquiry - NSW public land being used for airport runway expansion**

The Greens have expressed shock and called for a transparent and public inquiry regarding the approval of an Instrument Landing System (ILS) at the Gold Coast Airport.

**Greens candidate for Richmond, Dawn Walker, said:** "I am concerned to see that a runway extension has been written into the lease granted to the airport for the NSW Crown Reserve at West Tweed.

"This lease was signed between the Government and the airport without public consultation and I stand with the community in asking for the protection of public land for recreation and environmental conservation, not given away on our behalf to private interests."

**Greens MP and Crown Lands spokesperson, Jan Barham MLC, said:** "The approval of the Instrument Landing System (ILS) by the federal government is a sleight of hand that will impact dramatically on protection of NSW crown land and the wellbeing of many people in the Tweed and the Gold Coast. This process is one of deception.

"The installation of an ILS is an act of subterfuge that is all about the twice defeated plans for a runway extension. The airport wants to extend the runway to allow larger and louder aircraft such as the Airbus A340 to fly over the Tweed.

"The increased aircraft traffic will come at the cost of precious public lands, including the significant Cobaki wetlands with salt marsh and fish breeding habitat destroyed. The Crown Land is reserved for 'public recreation' not private interest.

"I have asked questions in Parliament about how the privately owned Gold Coast Airport gained access to the lease rights over NSW Crown Land.

"The extension proposal had twice been rejected because of the impact on the Crown Land which will include wholesale clearing of public land and protected vegetation and habitat. But with the approval for the ILS by the federal government, no state laws apply and no further approval is needed by the state Minister for Crown Lands, Niall Blair.

"The NSW Government has not revealed the date of the transfer of the land to enable the airport to make the application to the Commonwealth. Concerns have been raised as to whether the lease was valid at the time of its approval. The NSW Government passed laws that allowed inconsistent land uses to be validated but it appears the lease was given one month before the legislation was introduced to Parliament.

"Local residents including the Tweed Heads Residents and Ratepayers Association are demanding an inquiry into how this public land could be transferred to a private entity to be destroyed.

"I will take concerns of the community and the Richmond Greens candidate to the Parliament and will ask further questions and present a proposal for an inquiry. It may also be that this is not an isolated issue and that needs to be investigated. The public has a right to know that public land is being managed in the public interest, not to enrich private interests," concluded Ms Barham.

#### **For comment:**

Jan Barham MLC 0447853891

Dawn Walker, Greens federal candidate for Richmond 0411 404 588

## **BACKGROUND INFO – Questions in Parliament**

28 May 2015 – Question in Parliament **GOLD COAST AIRPORT CROWN LAND LEASE – Niall Blair**

3 June 2014 - Question in Parliament **GOLD COAST AIRPORT CROWN LAND LEASE – Niall Blair**

4 June 2015 - Question in Parliament **GOLD COAST AIRPORT CROWN LAND LEASE – Niall Blair**

19 November 2015 – Question on Notice - **WETLANDS PROTECTION – RAMSAR – Cobaki Wetlands - Speakman**

### About this Item

Speakers [President](#); [Barham Ms Jan](#); [Blair The Hon Niall](#)

Business Questions Without Notice, QWN – **28 May 2015**

### **GOLD COAST AIRPORT CROWN LAND LEASE**

**Ms JAN BARHAM:** My question without notice is directed to the Minister for Lands and Water. Can the Minister advise under what provisions the New South Wales Government agreed, without public consultation, to transfer lease No. RE455699 over New South Wales Crown Reserve 59360 to Gold Coast Airport Pty Limited for its "exclusive possession" for "expansion of the airport"? As required under section 34A of the Crown Lands Act, what consideration was given to the public interest and principles of Crown land management before transferring this lease over a Crown reserve dedicated for public recreation and conservation and allowing it to be open to development for the expansion of the Gold Coast Airport?

**The Hon. NIALL BLAIR:** I am advised that on 18 October 2013 a lease was granted to Gold Coast Airport Pty Limited for future airport infrastructure and land management. The lease is on Crown land next to the existing airport land and will run concurrently with the existing Commonwealth lease for the airport over the next 85 years. The public interest in this matter is very clear. Gold Coast Airport acts as a gateway to the communities in south-east Queensland and northern New South Wales, including the Byron Bay area, for domestic and international passengers. Figures provided by Gold Coast Airport Pty Limited indicate a substantial passenger flow through the airport over the next 20 years with a contribution to the local economy worth billions.

However, the airport does not have an instrument landing system [ILS]. This means that in bad weather and poor visibility a large number of flights are diverted to other airports. Installation of an instrument landing system, including a service road and security fencing are critical to airport operations. The lease provides security of tenure to enable the Gold Coast Airport to invest in planning approvals and capital works associated with this critical infrastructure. The lease has provisions for the future of third-party interests, such as the local pony club currently occupying the land in question.

The ILS is subject to the approval of a major development plan under the Commonwealth Airports Act 1996, and a draft plan is currently out for public consultation which concludes on 13 July 2015. Environmental planning and approvals for the development will occur under this legislation. Any concerns by the public in relation to the proposed development should be made online at the website hosted by the Gold Coast Airport.

**Ms JAN BARHAM:** I ask a supplementary question. Can the Minister elucidate why there was no public consultation process as required by the Act?

**The Hon. NIALL BLAIR:** As I indicated in my answer, the ILS is subject to the approval of a major development plan under the Commonwealth Airports Act 1996 and a draft plan is currently out for public consultation, which concludes on 13 July.

**Mr Jeremy Buckingham:** Point of order: My point of order relates to relevance. The question sought elucidation regarding public consultation on the lease and not the ILS development.

**The PRESIDENT:** Order! The point of order was as to relevance. Undoubtedly the Minister's comments were generally relevant. In the time he has remaining, the Minister could, if he wishes, add any other matters that are directly relevant.

**The Hon. NIALL BLAIR:** Environmental planning approvals for the development will occur under that legislation. Any concerns that the public has in relation to the proposed development should be made online at the website hosted by the Gold Coast Airport.

#### About this Item

Speakers [Blair The Hon Niall](#); [Barham Ms Jan](#)

Business Questions Without Notice, QWN – **2 June 2015**

#### GOLD COAST AIRPORT CROWN LAND LEASE

**Ms JAN BARHAM:** My question without notice is directed to the Minister for Lands and Water. I ask the Minister whether he is aware that the Gold Coast Airport Pty Ltd preliminary draft master development plan for installation of an instrument landing system [ILS], which is currently out for public consultation, states:

... a draft MDP and a supplementary report will be prepared and submitted to the Minister for Infrastructure and Regional Development for approval of the components of the project located on Commonwealth airport land only.

Can the Minister advise whether there will be any environmental planning and approval process relating to the components of the project located on the Crown reserve, noting that the proposed development involves significant clearing and installation of ILS infrastructure on this area of Crown land?

**The Hon. NIALL BLAIR:** I think the member is following up on a question that she asked last week when I indicated that the ILS is subject to approval of the major development plan under the Commonwealth Airports Act 1996 and a draft plan is currently out for public consultation. I also inform the House that the lease granted to the Gold Coast Airport Pty Ltd on 18 October 2013 for future airport infrastructure and land management was granted under the provisions of section 34A of the Crown Lands Act 1989. In granting the lease there was due regard to the principles of Crown land management and the public interest as required by the Act. Public consultation is not a requirement of the Act.

Gold Coast Airport and Airservices Australia are currently consulting the public about their proposed development of an ILS, which is being considered under the Commonwealth Airports Act. These provide security of tenure to enable the Gold Coast Airport to invest in planning approvals and capital works associated with this critical infrastructure. The ILS is subject to the approval of a major development plan under the Commonwealth Airports Act 1996 and, as I indicated earlier, the draft plan is currently out for public consultation, which concludes on 13 July 2015. As I indicated last week, any concerns by the public in relation to the proposed development should be made online at the website hosted by Gold Coast Airport.

**Ms JAN BARHAM:** I ask a supplementary question. My question related to the works that will take place on Crown land in relation to the ILS. My recollection is that the Minister's answer last week noted that there would not be work on land, but there will be. Will there be approval by the New South Wales Government for work on New South Wales Crown land?

**The Hon. NIALL BLAIR:** I do not have in front of me my answer from last week so I cannot confirm whether the member is correct in her recollection of what I apparently said last week. However, I reiterate that the lease granted to the Gold Coast Airport on 18 October 2013 for future airport infrastructure and land management was granted under the provisions of section 34A of the Crown Lands Act 1989.

**Mr Jeremy Buckingham:** And expansion.

**The Hon. NIALL BLAIR:** As I have indicated, in granting the lease due regard was given to the principles of Crown land management and the public interest as required by the Act.

#### About this Item

Speakers [Barham Ms Jan](#); [Blair The Hon Niall](#)

Business Questions Without Notice, QWN – **3 June 2015**

## GOLD COAST AIRPORT CROWN LAND LEASE

**Ms JAN BARHAM:** I direct my question to the Minister for Primary Industries, and Minister for Lands and Water. I refer to the decision to transfer a Crown reserve lease to Gold Coast Airport on 18 October 2013. Can the Minister advise whether the Minister responsible for Crown land was aware of the expectations of the operator of the Gold Coast Airport that "in the longer term, the securing of the additional land area for the airport will enable construction of an extension to the runway"? That statement was in a letter addressed to the then Minister for Planning and dated 25 November 2013. Was consideration given to granting the lease in the knowledge that the operators of Gold Coast Airport intended not only to install an instrument landing system but also in the longer term to expand the airport runway on the Crown reserve?

**The Hon. NIALL BLAIR:** In my response to the House on 28 May I stated that the lease for the Gold Coast Airport covered airport infrastructure and land management. It does not authorise any works. However, it does provide that airport infrastructure works may be installed subject to relevant planning approval. Planning approval is not necessary under New South Wales legislation because the Commonwealth is responsible for the regulation of airport development. The instrument landing system [ILS] is subject to the approval of a major development plan under the Commonwealth Airports Act 1996. I indicated that the draft plan has been released for public consultation, which will conclude on 13 July. Again as I indicated, environmental planning approvals for the development are covered by Commonwealth legislation. Anyone concerned can make a submission online at the website hosted by Gold Coast Airport. I am not aware of what the former Minister knew, so I cannot answer that question.

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**Question on Notice - 19 November 2015** (session 56-1) and printed in [Questions & Answers Paper No. 41](#).  
Answer received on 24 December 2015 and printed in [Questions & Answers Paper No. 41](#).

## 0744—Environment—WETLANDS PROTECTION

Ms Barham to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism representing the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning—

1. How many nominations or assessments have been undertaken relating to protection of habitat in the North Coast region under the Ramsar Convention?
2.
  - a. Will the Government nominate the significant North Coast ecological Cobaki Wetlands for Ramsar Convention protection?
  - b. If not, why not?
3. What action is the Government taking to protect the Cobaki Wetlands in light of the threat of negative impact from the expansion of the Gold Coast Airport?

Answer—

I am advised as follows:

1. The Commonwealth Government is responsible for the Ramsar Convention.
  2. The Commonwealth Government is responsible for the Ramsar Convention.
  3. The Commonwealth Government is responsible for regulation of the proposed expansion of the Gold Coast Airport.
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